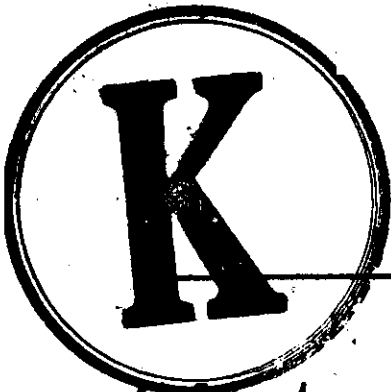


1942

File No. Regis. II/42



Legal DEPARTMENT

B. BRANCH

P 11(2)
1942

Subject:—

Rules and Regulations

under the

Indian Registration Act, 1908

File No. Regis. II/42

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R.L.A'S Office.

The draft erratum at pages 3-5 ante provides inter alia for including certain additional lands in the sub-districts mentioned in column 2 of the second Schedule to the Government Notification No. 1940/24, dated the 1st November 1940, which do not form part of the talukas, mahals or villages mentioned in column 3 of the said Schedule. The effect of this erratum is to alter the limits of the sub-districts described in the said notification. It is, therefore, necessary to issue a fresh notification instead of an erratum providing for an amendment of the above notification. It is necessary to give retrospective effect to this amending notification from 1st November 1940 in order to legalize anything done under the Indian Registration Act, 1908, or the Rules made thereunder, in those lands which were not included in the sub-districts formed under G.N., R.D. No. 1940/24, dated the 1st November 1940. The draft notification provides accordingly.

Sd/- S. B. P.

for Remembrancer of Legal Affairs.

U.R. to R.D. No. 1024, dated 4/2/1942.

J. P. E.

Office of the R.L.A.

A revised draft notification is sent herewith.

Id/- P.N.M. 28/5

Remembrancer of Legal Affairs.

U.R. to R.D. No. 4420 dated the 29th May 1942.

JPE.

Notification
Revenue Department.
Bombay Castle,

1942.

The Indian Registration
Act, 1908.

No. 1940/24. - The following amendments to the rules published in Government notification in the Revenue Department, No. 1940/24, dated 30th September 1924 made by the Inspector General of Registration, Bombay Province, in exercise of the powers conferred on him by section 69 of the --- Indian Registration Act, 1908 (XVI of 1908) having been approved by the Government of Bombay are hereby published as required -- by sub-section (2) of the said section, namely:-

1. For clause (A) of rule 3 of the said rules, the following shall be substituted, namely:-

"(A) In the City of Bombay and the Bombay Suburban District --

(i) on all week days (except Saturdays) from 10 A.M. to 5 p.m. with an interval of half an hour for recess, and

(ii) on Saturdays from 10 A.M. to 1-30 P.m. "

2. For clause (A) of Sub-rule

(1) of rule 5 of the said rules the following shall be substituted, namely:-

"(A) In the City of Bombay and the Bombay Suburban District ---

(i) on all week days (except Saturdays) before 10-30 A.M. or after 3-30 p.m. ; and

(ii) on Saturdays before 10-30 A.M. or after 1 p.m. ; and"

By order of the Governor of Bombay,

Secretary to Government.

Office of the R.L.A.

The presumption made by Secretary, R.D. at A on page 52 ante, appears to be correct, If the parties are left to get their sale certificates registered in the ordinary course, the provision of sections 32 and 80 will apply. Therefore, as advised by the R.L.A. (page 41) it will be legally in order to make provision in the table of fees prepared under section 78 that no registration fees shall be payable in respect of these certificates and consequently no amendments on the line suggested by the Inspector General of Registration in para.4 of his letter on page 12 ante will be required.

Revised drafts of the notifications proposed under section 78 of the Indian Registration Act, 1908 and section 27 of the Bombay Tenancy Act, 1939, are sent herewith. The following remarks are made:-

(a) Revised draft notification under section 78 of the Indian Registration Act, 1908. (i) Instead of the amending notifications mentioned in the R.D. draft notification (page 49) the principal notification No. 1940/24-a dated the 30th September 1924 has been mentioned in the revised notification.

(ii) Before it is issued R.D. should verify that the No. of the Note proposed to be given is No.X (of R.L.A's U.R. to R.D. No.5833 dated 27th November 1933).

(b) Revised draft notification under section 27 of the Bombay Tenancy Act, 1939- The ~~xxxxxxx~~ provision to the effect that the certificate granted under section 18(3) shall not be liable to stamp duty or registration fees has been omitted in the revised notification, because it is outside the scope of section 27 of the Bombay Tenancy Act, 1939.

Id/- P.N.M. 4/6

U.R. to R.D.M

Remembrancer of Legal Affairs.
No.4613 dated 4/6/1942.

Notification.

Revenue Department.

Bombay Castle,

1942.

No.

.- In exercise of the

powers conferred by section 278 of the Indian

Registration Act, 1908 (XVI of 1908), the

Government of Bombay is pleased to amend the

table fees payable under the said Act Revenue

Department, No.1940/24-A dated the 30th September

1924, as follows, namely:†

To Article 1 of the said table of fees,
after Note IX, the following note shall be added,
namely:-

"Note X. No fees shall be payable in
respect of the registration of certificates of
transfer granted by a Mamlatdar under sub-section
(3) of section 18 of the Bombay Tenancy Act, 1939
(Bom. XXIX of 1939)."

By order of the Governor of Bombay.

Secretary to Government.

The Indian Registration
Act, 1908.

Notification.

Revenue Department.

Bombay Castle,

June 1942.

The Bombay Tenancy Act,
1939.

No. 4456/39(a).- The following draft of a notification which it is proposed to issue under section 27 of the Bombay Tenancy Act, 1939 (Bom. XXIX of 1939), is published as required by sub-section (3) of the said section 27, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Bombay on or after

1942.

2. Any objection or suggestion which may be received by the Secretary to the Government of Bombay in the revenue Department, from any person in respect of the said draft before the aforesaid date will be considered by Government.

Draft Notification.

No. In exercise of the powers conferred by section 27 of the Bombay Tenancy Act, 1939 (Bom. XXIX of 1939), the Government of Bombay is pleased to amend the Bombay Tenancy Rules, as follows namely:-

In sub-rule (1) of rule 7 of the said rules, the words beginning with the words "A copy" and ending with the word "situated" shall be deleted.

By order of the Governor of Bombay,

Secretary to Government.

Office of the R.L.A.

A revised draft notification is sent herewith

Sd/- H.R.D.

for Remembrancer of Legal Affairs.

U.R. to R.D. through E.D., No.6390, dated the 6th August
1942.

JPB.

Notification.

Revenue Department.

Bombay Castle, 1942.

Indian Registration
Act, 1908.

No. 7300-G.D. ^(R.D) In exercise of the powers conferred by the proviso to sub-section (1) of section 17 of the Indian Registration Act, 1908 (XVI of 1908), the Government of Bombay is hereby pleased to exempt from the operation of the said sub-section the leases executed in any district by local authorities in respect of buildings hired by them for primary schools, the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed fifty rupees.

By order of the Governor of Bombay,

Secretary to Government.

Office of the M.L.A.

A revised draft notification is sent herewith.

2. It is presumed that with the addition of the 14 villages of Tembhorni sub-district to the Pandharpur sub-district, the limits of the Pandharpur registration sub-district will be coextensive with the limits of the limits of the revenue & taluka of Pandharpur. R.D. should verify whether the presumption is correct.

Sd/- N. K. D.

for Remembrancer of Legal Affairs.

U.R. to R.D., No. 7816 dated the 26th September 1942.

JPE.

NOTIFICATION

Revenue Department.

Bombay Castle,

1942.

Indian Registration
Act, 1908

No.

- In exercise of the powers

conferred by section 5 of the Indian Registration Act, 1908 (XVI of 1908), the Government of Bombay is pleased to amend Government Notification in the Revenue Department No.1940/24, dated the 1st November 1940, as follows, namely:-

In column 3 of the second schedule annexed to the said Notification -

(a) for entries Nos. (1) to (72) against the sub-district of Pandharpur in the Sholapur district, the words "Co-extensive with the Revenue Taluka of Pandharpur" shall be substituted and

(b) entries Nos. (42) to (55) against the sub-district of Tembhurni in the Sholapur district shall be deleted.

By order of the Governor of Bombay,

Secretary to Government.